

Notice of Allowability

Application No.

09/869,710

Examiner

Ula C Ruddock

Applicant(s)

GROITZSCH ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/18/2003.
2. ☒ The allowed claim(s) is/are 16-25.
3. ☒ The drawings filed on 7/2/2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

DETAILED ACTION

1. The Examiner has carefully considered Applicant's amendments and accompanying remarks filed July 18, 2003. All rejections have been overcome.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Abraham Ronai on September 25, 2003.

The application has been amended as follows:

****Rewrite claim 16 as follows:**

16. (Amended) A three-dimensionally structured fibrous web comprising: a composite, the composite being subjected to one of a thermal embossing-calendering and an ultrasound calendering and being shrunk by an influence of one of heat and water vapor; wherein the composite comprises one component selected from the group consisting of [consists of one of] a scrim, a lattice and a netting; the one of the scrim, the lattice and the netting being covered on both sides by a nonwoven fabric; wherein the one of the scrim, the lattice and the netting is made of thermoplastic continuous-filaments having a mesh, the mesh having points of contact and filament crossing points in longitudinal and transverse directions; wherein the mesh has a mesh size of 0.01 to 9 cm²; wherein the continuous filaments are 150 to 2000 μ m thick and are thermally fused to

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each other at their points of contact, wherein the filament crossing points in the longitudinal and transverse directions are not less distant from each other than 0.10 cm, and wherein the nonwoven fabric layer has one of repeating fold-shaped elevations and repeating wave-shaped elevations.

**Rewrite claim 20 as follows:

20. (Amended) A method for manufacturing a three-dimensionally structured fibrous web comprising the following steps: covering at least one component selected from the group consisting [one] of a [at least one] lattice layer, [at least one] scrim layer, and [at least one] netting layer with a nonwoven fabric layer on both sides, each layer of the [one of the] at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer weighing 3 to 300 g/m², the [one of the] at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer being made of plastic continuous filaments having a mesh, the mesh having filament crossing points and having a mesh size of 0.01 to 9 cm² and being biaxially stretched, a distance of adjacent ones of the filament crossing points being not less than 0.10 cm; bonding the [one of the] at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer with the nonwoven fabric layer on both sides in continuous fashion using a laminating technique, subjecting the [one of the] at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer with the nonwoven fabric layer on both sides which has been bonded [to] by one of a thermal embossing-calendering and an ultrasound calendering; and subsequently subjecting the [one of the] at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer with the nonwoven fabric layer on both sides which was subjected to [the] one of [the] thermal embossing-calendering and [the] ultrasound calendering to a shrinking process at a temperature

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which lies between a softening and melting range of a material of [the one of] the at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer.

**Rewrite claim 21 as follows:

21. (Amended) The method according to claim 20, further comprising the steps of: covering [at least one layer of the one of] the at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer on [one of] one side or [and] both sides with an unbonded nonwoven, the [at least one layer of the one of the] at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer having a shrinkable component, the shrinkable component having a melting point, the unbonded nonwoven being made up at least partly of bicomponent fibers having a high- and a low-melting component, the low-melting component having a melting point that is not higher than the melting point of the shrinkable component; subjecting the [at least one layer of the one of the] at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer covered on [the one of] one side or [and] both sides with the unbonded nonwoven [to] by one of [a] thermal embossing-calendering and [an] ultrasound calendering, and subsequently carrying out a shrinking of [the at least one layer of the one of] the at least one lattice layer, [the at least one] scrim layer and [the at least one] netting layer covered on [the one of] one side [and] or both sides with the unbonded nonwoven which was subjected to the one of [the] thermal embossing-calendering and [the] ultrasound calendering, the shrinking being carried out as a result of the influence of heat or using water vapor.

Reasons for Allowance

3. Claims 16-25 are allowed.
4. The following is an examiner's statement of reasons for allowance: for the reasons argued and shown in the response filed July 18, 2003 and by the Examiner's amendment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ula C Ruddock whose telephone number is 703-305-0066. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 703-308-2414. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

UCR

UCR

Ula Ruddock